
**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

GARTH O. GREEN ENTERPRISES, INC., *et al.*,

Counterclaim Defendants,

v.

RANDALL HARWARD, *et al.*,

Counterclaim Plaintiffs.

Case No. 2:15-cv-00556-CW-EJF

**ORDER GRANTING STANDARD
PLUMBING SUPPLY'S EXPEDITED
SHORT FORM DISCOVERY MOTION
FOR RESOLUTION OF PRIVILEGE
WAIVER DISPUTE (ECF NO. 516)**

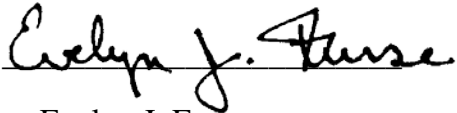
Honorable Judge Clark Waddoups
Honorable Magistrate Judge Evelyn J. Furse

The Court, having considered Standard Plumbing Supply Company, Inc. and Richard N. Reese's (collectively, "Standard") Expedited Short Form Discovery Motion for Resolution of Privilege Waiver Dispute (the "Motion") and Garth O. Green Enterprises, Inc., Garth O. Green and Michael Green's Opposition, and for the reasons stated in the Court's April 6, 2017 Order (ECF No. 313) and good cause appearing, the Court hereby GRANTS Standard's Motion.

IT IS HEREBY ORDERED that to the extent Adam Dunn and the Dunn Law Firm's bases for withdrawal were privileged, Garth O. Green's testimony given during his September 29, 2017 deposition at 404:3-24 waived any privilege to conversations regarding the withdrawal of Adam Dunn and the Dunn Law Firm. To this end, the Court will allow further discovery on the subject matter, including deposition testimony and the production of documents from Garth O. Green.

DATED this 13th day of November, 2017.

BY THE COURT:

By: 

Judge Evelyn J. Furse
United States Magistrate Judge